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HDP/SB/21 based on PTO/SB/21 (08-00)

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#13

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/321,611
Filing Date	May 28, 1999
First Named Inventor	Donghui QU
Group Art Unit	2133
Examiner Name	G. Lamarre
Attorney Docket Number	29250-000272/US

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

**Petition to Withdraw Holding of
Abandonment**

Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Harness, Dickey & Pierce, P.L.C.

Attorney Name
Jason W. Rhodes

Reg. No.
47,305

Signature

Date

7/31/2002

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name

Signature

Date



PATENT
29250-000272

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Donghui QU

Conf: 6732

Serial No.: 09/321,611

Group: 2133

Filed: May 28, 1999

Examiner: G. Lamarre

For: EFFICIENT METHOD FOR CALCULATING THE REMAINDER OF A
MODULO DIVISION

PETITION UNDER 37 C.F.R. § 1.181 TO WITHDRAW HOLDING OF ABANDONMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

July 31, 2002

Dear Sir:

In response to the Notice of Abandonment dated July 23, 2002, Applicant hereby respectfully petitions under the provisions of 37 C.F.R. 1.181 and M.P.E.P. §711.03(c) for decision to withdraw the holding of abandonment.

The Notice of Abandonment dated July 23, 2002 indicates that this application was abandoned in view of Applicant's failure to respond to timely pay the required issue fee within the statutory period of three months from the mailing date of a Notice of Allowance mailed on March 12, 2002. However, this Notice of Allowance was never received by the offices of the undersigned, and a search of the file jacket for the present application and the firm docketing records reveals that this Notice of Allowance of March 12, 2002 was never received. The offices of the undersigned did not become aware of the Notice of Allowance until advised of the holding of abandonment.

The fact that the Notice of Allowance of March 12, 2002 was never received in the offices of Harness, Dickey & Pierce, P.L.C. (Reston Office) is evidenced by **Exhibits I-III** attached hereto.

Exhibit I is a copy of the front page of the attorney's file jacket of Serial No. 09/321,611 (which corresponds to Attorney Docket No. 29250-000272). It is the policy in our office to record all information regarding Office Actions and responses on the front page of the file jacket. As the Petition Examiner will note, there is no entry for the Notice of Allowance dated March 12, 2002 on the front page of the file jacket of the above-referenced application.

Exhibit II is a copy of the computer-generated daily docket sheet for Harness, Dickey & Pierce P.L.C. (Reston Office) for the date of June 12, 2002 (the due date for said issue fee), containing entries made by our Docketing Personnel of due dates in response to United States Patent and Trademark Office Actions. It is the policy of our office to docket all due dates for Office Actions received from United States Patent and Trademark Office into our computer docketing system.

Although Titles and Client Names have been redacted from this Exhibit to avoid public disclosure of these matters once the present application is patented, it is still clear that there is no entry for the due date of June 12, 2002 which corresponds to the current application, Attorney Docket No. 29250-000272.

Exhibit III is a copy of the manual docket book of Harness, Dickey & Pierce, P.L.C. (Reston Office) for the due date of June 12, 2002. It is the policy of our offices to docket all due dates for Office Actions received from the USPTO in our manual docketing book.

Although Client Names have been redacted from this exhibit to avoid public disclosure of these matters once the present application is patented, there is no entry for the due date of June 12, 2002 for the above-referenced Attorney Docket No. 29250-000272.

The undersigned certifies that he has reviewed the computer-generated daily docket sheets and the manual docket book for the due date of June 12, 2002 and did not locate an entry which corresponds to Attorney Docket No. 29250-000272.

In view of the above-described facts, it is respectfully submitted that the abandonment of the present application was unavoidable and due solely to problems with the United States Patent and Trademark Office receiving the mailing of the November 6, 2001 response to the June 6, 2001 Office Action. Accordingly, this petition is being timely filed for the purpose of petitioning withdrawal of the abandonment in view of the above-stated facts.

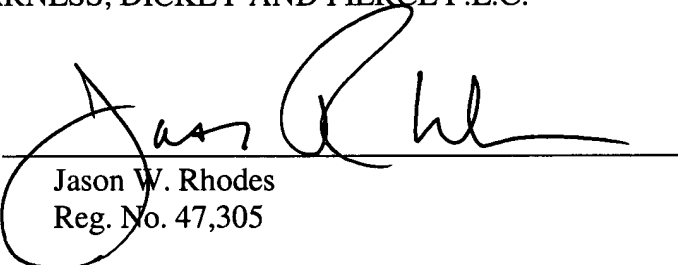
Since the above-mentioned Notice of Allowance was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this petition. In the event that the petition fee is deemed necessary by the United States Patent and Trademark Office, it is respectfully requested that the fee of \$130.00 as set forth in 35 U.S.C. §1.17(h)(1) be charged to Deposit Account No. 08-0750.

In the event that any matters remain at issue in the application, the Examiner is invited to contact Jason W. Rhodes (Reg. No. 47,305) at (703) 390-3030 in the Northern Virginia area, for the purpose of a telephonic interview.

Respectfully submitted,

HARNESS, DICKEY AND PIERCE P.L.C.

By



Jason W. Rhodes
Reg. No. 47,305

P.O. Box 8910
Reston, VA 20195

GDY:JWR:dg

Attachments: **Exhibits I-III**

EXHIBIT I

ATTY. JAC/JWR

PATENT NO. _____

ISSUED _____

BIRCH, STEWART, KOLASCH & BIRCH, LLP

MONTHLY BILLED CLIENT _____

SMALL

ENTITY _____

(FILED)

CLIENT COPIES _____

SUPPLEMENTAL VOLUME(S) _____

INVENTOR Donghui QuTITLE Efficient Method for Calculating the Remainderof a Modular DivisionAPPLICATION NO. 09/321,611FILED: May 28, 1999

PRIORITY CLAIMED _____

RECLAIMED _____

DRWGS. NO. OF SHEETS 3 (A4)

FOREIGN CASES _____

DOCKET NO. 2985-2731CLIENT Lucent TechnologiesTHEIR REF. 11111111

ASSIGNEE REF. _____

PTO ACTIONS

6-28-99 NTFMP

CALL-UP

due 8-28-99
NTFMP (1X)
9-28-99

RESPONSES

Extend to 9-28-99
1. Dec w/Imo EOT 9-28-99
2. Formal Drwgs 12-16-99
Status (loging 6/15/01)
Amend F 11/20/2001DA 10-02-01AMEND
01-02-02

ASSIGNMENT

FILED IN PTO

9-28-99

TO

Lucent Technologies, Inc

ADDRESS _____

RECORDED

9/28/99

REEL

102107

FRAME(S)

4101

0025 00720

EXHIBIT II

SWR

DAILY DOCKET

6/12/2002 JAC / / 29250-000128/US Appeal Due
Appln. No.: 09/139107 Filing Dt.: 8/25/1998 Client: [REDACTED]

Extended

Title: [REDACTED]
Comments:

6/12/2002 GDY / / 29250-100262/CA Misc. Response Due NEP
Appln. No.: 2266683 Filing Dt.: 7/29/1998 Client: Lucent Technologies, Inc.

Noted

Title: [REDACTED]
Comments: 2 WEEK CALL-UP TO RESPOND TO OFFICIAL ACTION DUE 06/26/2002

6/12/2002 TSA / / 3197-000040/US Target Filing Date
Appln. No.: Filing Dt.: Client: [REDACTED]

Ext. 6/21

Title: [REDACTED]
Comments:

6/12/2002 DJD / / 32860-000243/US IF NEP (1st) & Chk Div's/CIPs
Appln. No.: 09/646148 Filing Dt.: 9/13/2000 Client: [REDACTED]

Title: [REDACTED]
Comments:

6/12/2002 JAC / / 37310-000101/US IF NEP (1st) & Chk Div's/CIPs
Appln. No.: 09/337741 Filing Dt.: 6/22/1999 Client: [REDACTED]

Filing

Title: [REDACTED]
Comments:

6/12/2002 JAC / / 37310-000185/US Target Filing Date
Appln. No.: Filing Dt.: Client: [REDACTED]

Ext 2 weeks 6/26

Title: [REDACTED]
Comments:

6/12/2002 JAC / GPB / 37310-000206/US 3 Mo OA (1st) Due
Appln. No.: 09/563713 Filing Dt.: 5/2/2000 Client: [REDACTED]

Title: [REDACTED]
Comments:

6/12/2002 GDY / TRW / 37310-100199/EP Foreign OA
Appln. No.: 97302561.2 Filing Dt.: 4/15/1997 Client: [REDACTED]

DMW

Title: [REDACTED]
Comments: RULE 51(4) OFFICIAL ACTION - NO PROPOSED AMENDMENTS MADE BY EXAMINER!

6/12/2002 MPB / GKH / TSA 6215-000078/US Target Filing Date
Appln. No.: Filing Dt.: Client: [REDACTED]

Ext 1 mth 7/12

Title: [REDACTED]
Comments:

EXHIBIT III

oic jk

Jun 12 02

✓ 32860-000128

Final y

TRW

Abar

NOA x

✓ 37310-000157

NTFMP XX

GDY

filed 5/13/02

✓ 32860-000105 DVA

Amend

DJD

filed 5/2/02

✓ 29250-000128

✓ Final filed 5/13/02

JAC

✓ NOA ext

✓ 29250-000471

Amend

TSA

filed 6/11/02

✓ 37310-000101

Issue Fee

JAC

paid 6/12/02

✓ 29250-000172

Issue Fee

TSA

paid by [REDACTED] 5/3/02

✓ 5900-000720

NTFMP x

JAC

filed 4/23/02

✓ 32860-000263

Muss. Rgnts. x

DJD

filed 5/13/02

✓ 37310-000139

Restriction xx

JAC

filed 3/27/02

✓ 32860-000243

Issue Fee

DJD

paid 6/12/02

Jun 12 02

✓ 6215-000078

TFD

TSA

ext to 7/12/02

✓ 137310-000206/US/DVA

Amend

GDY

filed 6/12/02

✓ 32860-000276

Resp to Not of Msg Reg

DJD

filed 6/10/02

✓ 37310-000185

TFD

JAC

ext to 6/26

✓ 3197-000040

TFD

TSA

ext to 6/21/02

✓ 12480-000003

TBFA

DJD

filed 6/5/02